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Notice of Allowability	Application No.	Applicant(s)	
	10/730,559	FEHER ET AL.	
	Examiner	Art Unit	
	Quang T Van	3742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to AMendment filed on 12/01/2004.
2. ☒ The allowed claim(s) is/are 1-4.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 03/03/2005.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input checked="" type="checkbox"/> Other <u>Drawings</u> . |


 Quang T Van
 Primary Examiner
 Art Unit: 3742

Drawings

1. The drawings filed 12/01/2004 are considered as informal because all the lines and reference numerals are rough and non-uniform. The descriptive words in the Figures are also not legible. Since the application having been allowed, formal drawings are required in response to this Office Action.

REASON FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance: allowance of claims 1-4 is indicated because the prior art of record does not show or suggest a dielectric tube extending through said applicator parallel to the axis of said microwave in-coupling opening in said applicator and normal to opposite side walls of said applicator, of which one includes said in-coupling opening, a metallic tube stub sealingly connected to each of opposite ends of said dielectric tube outside said applicator for conducting a fluid to be heated through said applicator, which fluid forms a load, said tube stubs being also joined to said opposite side walls of the applicator in a microwave-tight manner, wherein said applicator has rectangular shape which is adapted to the wavelength λ of the microwave supplied by the microwave source in such a way that, in the applicator, the linearly polarized base mode TE_{10} of the microwave is excited, the axis of said dielectric tube extends parallel to the field polarization of the linearly polarized TE_{10} mode and is disposed at a distance of about $\lambda/4$ from the respective nearest front wall of said applicator, and the axis of the dielectric tube coincides with the field maximum of the linearly polarized TE_{10} mode, the distance between the center point of the incoupling opening and the axis of the dielectric tube is so selected that field

energy coupled into the applicator is completely or nearly completely absorbed in the dielectric tube through which the fluid to be heated is conducted and converted therein to heat, such that no or only negligible reflections occur in the applicator, and said tub stubs have an open width adjacent the side walls of the applicator, which equals the outer diameter of the dielectric tube over a length of $\lambda/4$ to $\lambda/2$, and their diameter becomes then smaller over a length of $> \lambda/4$ so as to provide a blocking structure preventing an escape of any microwaves from said applicator as recited in claims 1-4.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang T Van whose telephone number is 571-272-4789. The examiner can normally be reached on 8:00Am 7:00Pm M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on 571-272-4777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



QV

March 3, 2005



Quang T Van
Primary Examiner
Art Unit 3742